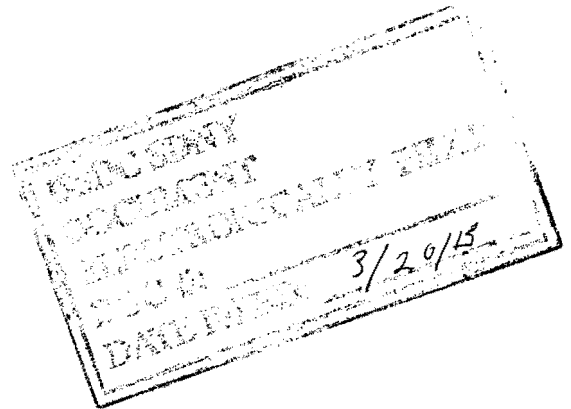


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Nathan P. Eimer

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March 7, 2013



BY EMAIL AND HAND DELIVERY

The Honorable Shira A. Scheindlin
United States District Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street, Room 1620
New York, New York 10007-1312

Re: MDL No. 1358, Master File No. 1:00-1898 (SAS)
City of Fresno v. Chevron U.S.A. Inc., et al., Case No. 1:04-cv-04973

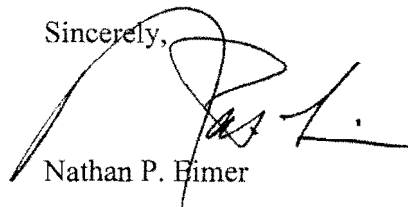
Dear Judge Scheindlin:

I am writing on behalf of CITGO Petroleum Corporation ("CITGO") to inform you of the status of the meet and confer between CITGO and the Plaintiff City of Fresno ("Plaintiff") concerning a potential summary judgment motion regarding a 7-Eleven site at issue in the case. This site is not subject to the pending Defendants' Motion for Summary Judgment Based on the Statute of Limitations or, Alternatively, for Lack of Injury (Docket No. 146), but certain arguments raised in that motion have a direct bearing on whether Plaintiff will be able to proceed with its claims at 7-Eleven #19198.

By letter dated March 6, 2013, Plaintiff's counsel suggested that CITGO await the Court's decision on the pending summary judgment motion before filing its own motion, because the opinion likely will provide useful guidance on the 7-Eleven #19198 site.

CITGO agrees that resolution of the statute of limitations motion may obviate the need for briefing as it relates to the Plaintiff's claims against CITGO at 7-Eleven #19198. We therefore request deferral of CITGO's motion pending resolution of the motion for summary judgment based on statute of limitations or, in the alternative, for lack of injury, and respectfully request that you indicate your assent on the line on the next page.

Sincerely,



Nathan P. Eimer


The Honorable Shira A. Scheindlin
March 7, 2013
Page 2

EimerStahl^{LLP}

cc: Michael Axline (via Email)
All Counsel of Record via LNFS

CITGO's motion for summary judgment at 7-Eleven #19198 may be deferred pending the Court's ruling on Defendants' Motion for Summary Judgment Based on the Statute of Limitations or, Alternatively, for Lack of Injury.

SO ORDERED:



Shira A. Scheindlin
U.S.D.J. 3/18/13